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21 *Attorneys for Plaintiffs and the Proposed Class*

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

1 PETER SCHUMAN, an individual, and  
2 WILLIAM COPLIN, an individual, on behalf  
3 of themselves and on behalf of others  
4 similarly situated,

5 Plaintiffs,

6 v.

7 MICROCHIP TECHNOLOGY  
8 INCORPORATED, a corporation; ATMEL  
9 CORPORATION, a corporation; and ATMEL  
10 CORPORATION U.S. SEVERANCE  
11 GUARANTEE BENEFIT PROGRAM, an  
12 employee benefit plan,

13 Defendants

14 Case No. 4:16-CV-05544-HSG

15 CLASS ACTION

16 **STIPULATION AND ORDER ENLARGING  
17 PLAINTIFFS' TIME TO RESPOND TO  
18 DEFENDANTS' MOTION TO DISMISS**

19 **[Civ. L.R. 6-2]**

20 Hearing Date: June 22, 2017

21 Time: 2:00 p.m.

22 Ctrm.: 2, Floor 4

23 Judge: Hon. Haywood S. Gilliam, Jr.

24 Action Filed: September 29, 2016

25 Trial Date: Not yet set

1 Plaintiffs Peter Schuman and William Coplin (collectively “Plaintiffs”) and Defendants  
2 Microchip Technology, Inc., Atmel Corporation, and Atmel Corporation U.S. Severance Guarantee  
3 Benefit Program (collectively “Defendants”), herein referred to collectively as the “Parties,” hereby  
4 stipulate, by and through their respective attorneys of record, as follows:

5 WHEREAS, Defendants filed a Rule 12(b)(6) motion to dismiss Plaintiffs’ Amended  
6 Complaint on April 28, 2017 (Dkt. 33);

7 WHEREAS, on April 28, 2017, Defendants also filed a motion to dismiss the complaint in  
8 the related case *Berman, et al. v. Microchip Technology, Inc., et al.*, Case No. 5:17-CV-01864-HSG  
9 (N.D. Cal.), in which the plaintiffs are represented by the same counsel representing Plaintiffs in this  
10 matter;

11 WHEREAS, pursuant to Civil Local Rule 7-3(a), Plaintiffs’ oppositions to Defendants’  
12 motions to dismiss in both cases are currently due May 12, 2017;

13 WHEREAS, Defendants agree to extend the deadline for Plaintiffs to respond to both  
14 motions to dismiss to and including May 31, 2017; and

15 WHEREAS, the stipulated extension of time for Plaintiffs to respond to Defendants’ motions  
16 to dismiss will not affect any other dates or deadlines in this case;

17 THEREFORE, THE PARTIES HEREBY STIPULATE that Plaintiffs’ time to respond to  
18 Defendants’ motion to dismiss (Dkt. 33) is extended up to and including May 31, 2017. The hearing  
19 on the motion will remain set for June 22, 2017 at 2:00 p.m., or as soon thereafter as this Court is  
20 available.

21 Respectfully submitted,

22 Dated: May 8, 2017

23 /s/Michael Rubin  
Michael Rubin

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*Attorneys for Plaintiffs and the Proposed Class*

Dated: May 8, 2017

/s/Mark G. Kisicki

Mark G. Kisicki

(E-signature authorized on May 8, 2017)

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### *Attorneys for Defendants*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: May 9, 2017

*Haywood S. Gilliam, Jr.*  
The Hon. Haywood S. Gilliam, Jr.  
United States District Judge

**DECLARATION OF MICHAEL RUBIN IN SUPPORT OF STIPULATION**

I, Michael Rubin, declare as follows:

3 1. I am a member in good standing of the bar of the State of California and am one of  
4 the counsel of record for Plaintiffs Peter Schuman and William Coplin (collectively “Plaintiffs”) in  
5 the above-captioned case. I am also one of the counsel of record for Plaintiffs Robin Berman, Bo  
6 Kang, Khashayar Mirfakhraei, Thang Van Vu, Donna Viera-Castillo, Girish Ramesh, Patrick  
7 Hanley, Ilana Shternshain and Mandy Schwarz in the related case *Berman, et al. v. Microchip*  
8 *Technology, Inc., et al.*, Case No. 5:17-CV-01864-HSG (N.D. Cal.). I make this declaration in  
9 support of the Parties’ stipulated request to enlarge the time for Plaintiffs to respond to Defendants’  
10 motion to dismiss. The facts set forth in this declaration I know to be true of my own personal  
11 knowledge, except where stated to be based on information and belief.

12       2.     The procedural history of this case, including prior time modifications, is set out in  
13 the Court's December 22, 2016 Order on the Parties' Joint Stipulation to Withdraw Defendants'  
14 Motion to Dismiss and for Plaintiffs to File Amended Complaint. Dkt. 27. Pursuant to that  
15 Stipulation and Order, Plaintiffs filed an Amended Complaint on March 31, 2017. Dkt. 29.

16 3. On April 28, 2017, Defendants filed a motion to dismiss Plaintiffs' complaint in this  
17 action. Dkt. 33. That same day, Defendants also filed a motion to dismiss the complaint in *Berman*.

18       4. Pursuant to Civil Local Rule 7-3(a), Plaintiffs' oppositions to Defendants' motions to  
19 dismiss in both cases are currently due May 12, 2017. Due to preexisting work obligations,  
20 Plaintiffs' counsel are unable to file both oppositions by May 12, 2017.

21       5. I conferred with counsel for Defendants, and Defendants agree to extend the deadline  
22 for Plaintiffs to respond to both motions to dismiss to and including May 31, 2017.

23 6. To the best of my knowledge, the requested time modification will have no effect on  
24 the schedule for the case.

25 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
26 knowledge. Executed at San Francisco, California, on May 8, 2017.

/s/ Michael Rubin  
Michael Rubin